HOUSE BILL NO. 89

To: Game and Fish

MISSISSIPPI LEGISLATURE REGULAR SESSION 2001

By: Representatives Clark, Barnett (92nd)

To: Game and Fish

HOUSE BILL NO. 89

AN ACT TO AMEND SECTION 59-21-81, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL PERSONS ON BOARD WATERCRAFT TO WEAR LIFE JACKETS; TO AMEND SECTION 59-21-153, MISSISSIPPI CODE OF 1972, TO REVISE PENALTIES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 59-21-81, Mississippi Code of 1972, is amended as follows:

59-21-81. Every vessel shall have on board a Coast Guard approved personal flotation device for each person aboard such vessel, and every person ** ** on board a motorboat, sailboat, or vessel which measures less than twenty-six (26) feet in length shall wear a type I, II, or III Coast Guard approved personal flotation device while such motorboat, sailboat, or vessel is underway. For the purpose of this section "underway" shall mean at all times except when a motorboat, sailboat, or vessel is anchored, moored, or aground. Every vessel shall have lights during the hours of darkness, which comply with all federal regulations applicable to vessels of its classification. Such vessel shall not be operated unless in a safe and seaworthy condition; the owner and operator shall employ such safety devices as may be necessary for the safe operation of such vessel, including an efficient natural or mechanical ventilating system when necessary for safe operation. In addition to the requirements imposed by this section, all vessels shall comply with all federal regulations applicable to vessels of such classification.

SECTION 2. Section 59-21-153, Mississippi Code of 1972, is amended as follows:
59-21-153. Any person who violates any provision of this chapter is guilty of a misdemeanor, and shall be subject to the following penalties:

(a) For a violation of any of the provisions of Sections 59-21-23(d), 59-21-29, 59-21-33, 59-21-55, 59-21-81 through 59-21-87, and 59-21-111 through 59-21-129, by a fine not to exceed Five Hundred Dollars ($500.00) or by imprisonment in the county jail not to exceed thirty (30) days, or both.

(b) For the violation of any provision of Section 59-21-31, by a fine of not less than Two Hundred Fifty Dollars ($250.00) nor more than Five Hundred Dollars ($500.00), or by imprisonment in the county jail not to exceed thirty (30) days, or both.

(c) For the violation of any other provision of this chapter, by a fine of not less than Twenty-five Dollars ($25.00) nor more than Two Hundred Fifty Dollars ($250.00).

SECTION 3. This act shall take effect and be in force from and after July 1, 2001.